

DANIEL PHILLIPS.

JANUARY 27, 1897.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. PICKLER, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 9392.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 9392) to increase the pension of Daniel Phillips, having carefully considered the facts in the case, respectfully report:

Claimant enlisted September 13, 1861, as a sergeant in Company D, Thirteenth Wisconsin Infantry, and was honorably discharged November 19, 1864. In 1888 he applied for a pension, alleging chronic diarrhea, resulting disease of rectum, bronchitis, and constant lameness of back, and is now drawing \$12 per month under the general law for the three disabilities first above mentioned. The origin and continuance of what he calls "constant lameness of back," which has grown continuously worse, are substantially shown by the same evidence that establishes bronchitis, but the soldier did not give this infirmity a technical name, and while it seems to be rated as heart disease by some examining boards and as rheumatism by others, yet it does not appear to have been considered in fixing the amount of pension to be paid him.

At present the soldier is paralyzed in the left arm, side, and leg. He applied for increase, alleging this paralysis to be the result of his pensioned disabilities, but the claim was rejected, as the sequence was not satisfactorily shown.

A test examination was ordered to ascertain, so far as possible, the origin of this paralysis, and the opinion of the president of the examining board, which was called for by the Bureau of Pensions, is as follows:

The paralysis, in my opinion, is the result of embolism, resulting from some vegetation or something else, leaving mitral valve and becoming arrested in brain on right side.

About five months prior to this examination the physician who had treated claimant for some time gave a more detailed opinion on the subject, in which he uses the following language:

Found him paralyzed in whole of his left side. I think this is directly from chronic bronchitis, which has led to pulmonary emphysema and permanent injury to the valves of the heart, so that fibrine is whipped from the blood in the heart, and, being dislodged, passes into the circulation and is lodged in an artery in the brain, cutting off the circulation of right side of brain and nerve force of left side of body.

In addition to this helpless condition, which, from the medical evidence, may be thus fairly traced to his pensioned disabilities, claimant is 73 years of age and has no teeth. His chronic bronchitis (for which he is pensioned) has developed into lung disease and the least exertion

causes him to cough incessantly and to spit, as the examiner says, "a large quantity of phlegm." For this reason alone he can perform no manual labor whatever and can not sleep without narcotics. His other pensioned disabilities, chronic diarrhea and disease of rectum, cause him to pass a tablespoonful of blood several times a day, and on this account he has to be extremely careful of moving around, even if it is now possible for him to do so.

One of the facts expressly required to be brought out on the test examination was whether the pensioner required the aid and attendance of another person, and on this point the examining surgeon says:

No other conclusion can be arrived at but that he requires the constant and regular aid of an attendant.

Your committee believe there can be little question about the merits of this case, and respectfully recommend the passage of the bill with the following amendments:

In line 5, after the word "late," strike out "of," and insert "a sergeant in."

Amend the title so as to read: "A bill granting an increase of pension to Daniel Phillips."